

Application No. : 10/623,759
Amdt. Dated : June 9, 2005
Reply To O.A. Of : March 9, 2005

REMARKS

By way of summary, Claims 1-22 are pending in this application. Applicant would like to thank the Examiner for the indication of allowable subject matter in Claims 1-6 and 21-22. In the above-referenced Office Action, Claims 7-20 have been rejected under § 102 and § 103. By this amendment, independent Claims 7, 14, and 20 have been amended. These claims have been amended without altering their scope in order to clarify the features of the Applicant's inventions. These claim amendments are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Accordingly, Applicant respectfully requests reconsideration of the pending claims in light of the above amendments and following comments.

Amended Independent Claim 7 Is Allowable Over Beeler

The Office Action rejected Claim 7 as being anticipated by U.S. Patent No. 5,746,328 to Beeler et al. Applicant respectfully traverses this rejection because Beeler fails to identically teach every element of the amended claim. See M.P.E.P. § 2131 (stating that in order to anticipate a claim, a prior art reference must identically teach every element of the claim). For example, among other things, Beeler fails to teach a first and second carrier "comprising a support portion adapted to underlie and support a respective one of a forward portion and a rearward portion of said product track." Accordingly, Applicant respectfully submits that amended Claim 7 is not anticipated by Beeler, and withdrawal of the anticipation rejection of Claim 7 is respectfully requested. Additionally, Claims 8-13 depend from Claim 7 and are allowable for the same reasons set forth above with respect to Claim 7 and the additional features recited therein.

The Office Action also combines Beeler and U.S. Patent No. 5,088,607 to Risafi et al. in rejecting Claims 8, 9, and 13 under § 103(a). However, Applicant respectfully submits that even if the references could be combined, the combination fails to teach, suggest, or disclose all the elements of amended independent Claim 7 and the

Application No. : 10/623,759
Amdt. Dated : June 9, 2005
Reply To O.A. Of : March 9, 2005

additional elements recited in Claims 8, 9, and 13. Accordingly, Applicant respectfully requests withdrawal of the rejections based on the combination of Beeler and Risafi.

Amended Independent Claim 14 Is Allowable Over Risafi

The Office Action rejected Claim 14 as being anticipated by U.S. Patent No. 5,088,607 to Risafi et al. Applicant respectfully traverses this rejection because Risafi fails to identically teach every element of the amended claim. For example, among other things, Risafi fails to teach panel comprising a flange having "a surface that extends generally parallel with said spaced pair of walls of said carrier and configured to contact a surface of a product track." Accordingly, Applicant respectfully submits that amended Claim 14 is not anticipated by Risafi, and withdrawal of the anticipation rejection of Claim 14 is respectfully requested.

Additionally, Claims 15-19 depend from Claim 14 and are allowable for the same reasons set forth above with respect to Claim 14 and the additional features recited therein. Therefore, Applicant respectfully requests allowance of Claims 15-19 and that the rejections thereof be withdrawn.

Amended Independent Claim 20 Is Allowable Over Laraia

The Office Action rejected Claim 20 as being anticipated by U.S. Patent No. 6,047,647 to Laraia. Applicant respectfully traverses this rejection because Laraia fails to identically teach every element of the amended claim. For example, among other things, Laraia fails to teach "securing a front panel over a portion of said at least one assembly and within a portion of said panel carrier by vertical movement of the front panel into engagement with the assembly." Accordingly, Applicant respectfully submits that amended Claim 20 is not anticipated by Laraia, and withdrawal of the anticipation rejection of Claim 20 is respectfully requested.

Application No. : 10/623,759
Amdt. Dated : June 9, 2005
Reply To O.A. Of : March 9, 2005

Request For Telephone Interview

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Applicants' attorney of record, Curtiss C. Dosier, hereby formally requests a telephone interview with the Examiner. The Applicants' attorney can be reached at (949) 760-0404.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 9, 2005

By: 

Curtiss C. Dosier
Registration No. 46,670
Attorney of Record
Customer No. 20,995
(949) 760-0404

1758236
060805